

IN THE SENATE OF THE UNITED STATES.

JUNE 10, 1858.—Ordered to be printed.

Mr. MALLORY submitted the following

REPORT.

The Committee on Claims, to whom was referred the memorial of Riggs & Co., have had the same under consideration, and report :

The memorialists allege, in effect, that Charles Loring, the receiver of the land office at Benicia, California, applied to them, in Washington, on the 17th July, 1854, to advance to him \$2,700, which they accordingly did, at a commission of one per centum thereon. Loring had verbally applied to the department for this money for the use of his office, and received, in reply, the following letter :

“GENERAL LAND OFFICE,
“ July 17, 1854.

“SIR: You are advised, in reply to your verbal request of this date, that a draft might be issued in your favor for \$2,700, the amount of your requisition of the 8th inst., for the expenses of your office for the current quarter, that said sum cannot be paid until after the passage of the appropriation bill now pending before Congress, in which that item is provided for.

“I am, very respectfully, your obedient servant,
“JOHN WILSON, *Commissioner.*

“CHARLES LORING, Esq.,
“*Receiver at Benicia, California, Present.*”

Mr. Loring executed a power of attorney to Riggs & Co., authorizing them to receive the money, which power of attorney was received and corrected by the accounting officers of the treasury, and upon this proceeding the money was advanced.

Did this advance constitute a claim upon the United States? Was it an advance to the United States or to Loring? Your committee think it was an advance to Loring, and not to the government. Nor is it shown that the government derived any benefit from the advance. Riggs & Co. charged their commission, and must be regarded as having taken all the risks, including that of Loring's death and removal from office. They therefore report adversely, and ask to be discharged.

